

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE:

ANTWOIN M. CRAIG,

Appellant

v.

STATE OF MISSOURI.

Respondent

DOCKET NUMBER WD75395

DATE: OCTOBER 8, 2013

Appeal From:

Circuit Court of Buchanan County, MO
The Honorable Weldon Clare Judah, Judge

Appellate Judges:

Division One
Victor C. Howard, P.J., Joseph M. Ellis, and Anthony Rex Gabbert, JJ.

Attorneys:

Evan Buchheim, Jefferson City, MO

Attorney for Respondent,

Attorneys:

Frederick Ernst, Kansas City, MO

Attorney for Appellant

**MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

**ANTWOIN M. CRAIG, Appellant, v.
STATE OF MISSOURI, Respondent**

WD75395

Buchanan County

Before Division One Judges: Victor C. Howard, P.J., Joseph M. Ellis, and Anthony Rex Gabbert, JJ.

Antwain M. Craig appeals the denial of his Rule 29.15 motion for post-conviction relief following an evidentiary hearing. Craig contends that the circuit court clearly erred in denying his motion because trial counsel was ineffective for: (1) failing to object to irrelevant and prejudicial “victim impact type of testimony and argument about how neighbors felt terrorized by the crime,” and (2) for failing to adequately address inconsistencies in witness statements and otherwise impeach the State’s witnesses.

AFFIRMED.

Division One holds:

- (1) The circuit court did not clearly err in denying Craig’s motion for post-conviction relief as Craig fails to overcome the presumption that counsel’s failure to object to the alleged “victim impact type of testimony” was a strategic choice by competent counsel.
- (2) The circuit court did not clearly err in denying Craig’s motion for post-conviction relief as there is no evidence in the record that Craig’s trial counsel failed to adequately address inconsistencies in witness statements and otherwise impeach the State’s witnesses such that there is a reasonable probability that the outcome of Craig’s trial would have been different.

Opinion by Anthony Rex Gabbert, Judge

Date: October 8, 2013

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